

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

NEW PRIORITY DATE:

Date of filing in State Engineer's Office ~~JUL-28-2003~~ - JAN 19 2006 AUG 31 2007

Returned to applicant for correction AUG 20 2003

Corrected application filed AUG 29 2003

Map filed APR 11 1968 under 19030

The applicant **NEVADA STAR INC.** hereby make application for permission to change the **POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF A PORTION** of water heretofore appropriated under **PERMIT NO. 55241**

1. The source of water is **UNDERGROUND**
2. The amount of water to be changed **10 AFA, 2.0 ACRES, 0.0168 CFS**
3. The water to be used for **COMMERCIAL**
4. The water heretofore permitted for **IRRIGATION**
5. The water is to be diverted at the following point **IN THE SW¼ OF THE NE¼ OF SECTION 3, T.21S., R.54E., M.D.M., NYE COUNTY, NEVADA OR AT A POINT FROM WHICH THE N¼ CORNER OF SAID SECTION 3 BEARS N 0° 46' W A DISTANCE OF 2171.00 FEET**
6. The existing permitted point of diversion is located within **IN THE NE¼ OF THE NW¼ OF SECTION 3, T.20S., R.53E., M.D.M., NYE COUNTY, NEVADA OR AT A POINT FROM WHICH THE N¼ CORNER OF SAID SECTION 3 BEARS N 45° E A DISTANCE OF 100.00' FEET.**
7. Proposed place of use **2.0 AC IN THE SE¼ OF THE SE¼ OF SECTION-4, T.21S., R.54E., M.D.M., NYE COUNTY, NEVADA A PORTION OF APN# 45-021-06 (FUTURE PARCEL MAP) SEE ACCOMPANYING "PLACE OF USE" MAP THIS APPLICATION**
8. Existing place of use **2.0 AC IN THE SE¼ OF THE NW¼ OF SECTION 3, T.20S., R.53E., M.D.M., NYE COUNTY, NEVADA**
9. Use will be from **JAN. 1st to DEC. 31st** of each year.
10. Use was permitted from **JAN. 1st to DEC. 31st** of each year.
11. Description of proposed works **EXISTING WELL SUBMERSIBLE PUMP AND PROPOSED UNDERGROUND WATER SYSTEM**
12. Estimated cost of works **\$12,000⁰⁰**
13. Estimated time required to construct works **2-YEARS**
14. Estimated time required to complete the application of water to beneficial use **5-YEARS**

15. Remarks: PROPOSED COMMERCIAL COMPLEX CONSISTING OF SEVERAL 2400 TO 3000 SQ. FT. RETAIL BUSINESS'S, PRESURE TANK, 10,000 GAL WATER STORAGE TANK FOR FIRE PROTECTION, PARKING AREA AND WATER, SEWER, UTILITY DISTRIBUTION SYSTEMS WITHIN COMPLEX

By RONNIE M. PHILLIPS, AGENT
s/Ronnie M. Phillips
1191 W. BETTY AVE.
PAHRUMP, NEVADA 89060

Compared sg/ cmf ag/ cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 55241 is issued subject to the terms and conditions imposed in said Permit 55241 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

Permit 70269 is granted to provide water service to a parcel described by Assessor's Parcel Number 45-021-06.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0168 cubic feet per second, but not to exceed 10.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

April 20, 2005

Proof of completion of work shall be filed on or before:

May 20, 2005

Water must be placed to beneficial use on or before:

April 20, 2007

Proof of the application of water to beneficial use shall be filed on or before:

May 20, 2007

Map in support of proof of beneficial use shall be filed on or before:


N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 20th day of April, A.D. 2004


State Engineer


Completion of work filed _____

Proof of beneficial use filed _____


Cultural map filed N/A

Certificate No. _____ Issued _____

~~CANCELLED NOV 17 2005 BECAUSE OF FAILURE
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT~~

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Can. Rescinded 6/28/06~~ STATE ENGINEER

~~CANCELLED AUG 22 2007 BECAUSE OF
FAILURE OF APPLICANT TO COMPLY WITH THE
PROVISIONS OF PERMIT~~

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Can. Rescinded 1-25-2008~~ STATE ENGINEER